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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

BAORONG LU,  
 Plaintiff,  
 v.  
 MICHAEL CHERTOFF, Secretary of the  
 Department of Homeland Security;  
 EDUARDO AGUIRRE, Director, U.S.  
 Citizenship and Immigration Services;  
 TERRY E. WAY, Director of USCIS  
 Nebraska Service Center,  
 Defendants.

No. C-05-2267-MEJ

**STIPULATION TO DISMISS; AND  
~~PROPOSED~~ ORDER THEREON;  
 ORDER CLOSING FILE**

Plaintiff, by and through his attorneys of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the action without prejudice because the Nebraska Service Center of the United States Citizenship and Immigration Services has agreed to issue a decision on the plaintiff's Form I-730 petition within 30 days.

Each of the parties shall bear their own costs and fees.

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2 Date: September 22, 2005

Respectfully submitted,

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4 KEVIN V. RYAN  
United States Attorney

5  
6 /s/  
7 EDWARD A. OLSEN<sup>1</sup>  
8 Assistant United States Attorney  
9 Attorneys for Defendants

10  
11 Date: September 22, 2005

12 /s/  
13 JUSTIN WANG  
14 Baughman & Wang  
15 Attorneys for Plaintiff

16 **ORDER**

17 Pursuant to stipulation, ~~IT IS SO ORDERED.~~ the case is dismissed and the Clerk of  
18 Court shall close the file.

19 IT IS SO ORDERED.

20 Date: September 23, 2005

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MARIA-ELENA JAMES  
United States Magistrate Judge

<sup>1</sup>I, Edward A. Olsen, attest that both Attorney Wang and I have signed this stipulation and  
will produce the original signed copies upon request.